

Tips for Providing Effective Comments on the TriCounty Draft RMP/EIS

Public participation is an important part of the National Environmental Policy Act (NEPA) process. Submitting substantive and concise comments on the DRMP/DEIS is one of the most important aspects of that process. Remember that the more clear, concise, and relevant to the DRMP/DEIS your comments are, the more effective they will be and the more likely it is that they will be utilized to improve the final documents and affect agency decisions.

The most effective comments are those that provide useful information to the BLM. The guidelines listed below may be helpful to you. Submit comments if you find:

- 1) An error in analysis that may affect the outcome.**
- 2) New information that would change the analysis and conclusions.**
- 3) Something that should be clarified.**
- 4) A substantially different alternative that meets the purpose and need statement and has not been considered.**

Comments on the DRMP/DEIS are not counted as votes. They are used to improve the analyses.

Back up your statements with explanations, facts, and references.

Identify the portion of the document on which you are commenting

At a minimum, provide the chapter, section, and page number.

Recognize that the potential impacts to resources are likely to be described in more than one section.

For example, surface disturbance associated with off-highway vehicle use may affect soils, vegetation, hydrology, wildlife habitat, and livestock grazing. In this case, the potential impacts will be described within the soils, water resources, vegetation, wildlife, and grazing sections of Chapter 4. If you only read the vegetation section, you will overlook the full impact analysis.

What are Substantive Comments?

Substantive comments do one or more of the following:

- 1) Question, with reasonable basis, the accuracy of information in the EIS For example, “Based on 2009 surveys by the Department of Forestry, the distribution of woodlands is incorrect.”
- 2) Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis For example: “The Department of Environment uses a more accurate test for calculating particulates.” Describe this methodology and explain why it is preferred.
- 3) Present new information relevant to the analysis that is missing
- 4) Present reasonable alternatives other than those analyzed in the EIS For example: “Please find enclosed a Maximize Geothermal Development alternative.”
- 5) Cause changes in the alternatives For example: “The Sacramento ACEC should be removed from Alternative C because it does not allow for needed transmission lines.”

What Isn't a Substantive Comment?

- Comments in favor of or against any alternatives without reasoning For example: "We disagree with Alternative A and believe the BLM should select Alternative C." or "I vote for Alternative C."
- Comments that only agree or disagree with BLM policy or decisions without justification or supporting data. For example: "No livestock grazing should be allowed."
- Comments that don't pertain to the planning area For example: "All roads in Socorro County should remain open."
- Comments on site-specific, project-level decisions For example: "Another parking lot should be installed at A-Mountain."
- Comments that are vague, open-ended questions For example: "What about restoration?"

Make Your Comments Timely!

Although all substantive comments received before reaching a decision will be considered to the extent feasible, comments must be **in writing** (either hard copy or electronic), **substantive**, and **timely** to merit a written response. There are several methods available to submit written comments on the Draft RMP/EIS:

- Attend a public meeting and provide written comments in person to BLM staff. Please see our website for a list of meeting dates and locations.
- Email your comments to: NM_LCDO_Comments@blm.gov or jamontoy@blm.gov. Comments may either be in the body of the email or in an attachment. Please keep file size to 5MB or less.
- Mail or hand-deliver comments to: BLM Las Cruces Office, 1800 Marquess Street, Attention: TriCounty RMP Comments, Las Cruces NM 88005-4935.
- E-mailed, mailed or hand-delivered comments must be received by close of business (4:30 pm) on June 5, 2013.

Be sure to include your complete name, address, and phone number, to assist us in responding to your comment. However, before including your phone number, email address, or other personal identifying information with the submission of your comments, you should be aware that your entire submission—including your personal identifying information—may be made publicly available at any time. While you may ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Examples of Substantive Comments follow on pages 3 and 4.

Examples of Substantive Comments

These examples of substantive comments are from the [BLM NEPA Web Guide](#), a companion resource to the [BLM NEPA Handbook \(H-1790-1\)](#). Both are available on-line.

1) Question, with reasonable basis, the accuracy of information in the EIS

“Page 4-86, Effects to Leasable Minerals for Alternative A: The premise in the concluding sentence that if no oil and gas exploration and/or development occurs, the resources are unavailable to future generations seems illogical. The resources would in fact remain in the ground, unused, and be available for future development and use. However, they would not be available for consumption in the interim.” (*Bay RMP, 2008*)

“The Draft EIS inadequately presents what is known about greater sage grouse in the area covered by the RMP. The number of active sage grouse leks is likely under represented, and few data are presented on brood and winter use areas. The best science available is not used as the BLM continues to use a 0.25-mile buffer for No Surface Occupancy (NSO) for areas around active sage grouse leks.” (*Rawlins Proposed RMP/Final EIS, 2008*)

2) Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis

“Where natural resource data and information are available for the planning area, such as for the two USGS streamflow gaging stations mentioned in the paragraph, it would benefit the public if the document included a summary of the available data or references/Internet links accessing for the information.” (*Bay RMP, 2008*)

“The BLM blames past grazing practices as one factor contributing to the current situation. What evidence supports the claim current grazing practices are different from past ones?” (*North Steens Ecosystem Restoration Project, 2007*)

“In the Draft EIS, BLM estimates that only 20 percent of the water discharged from [Coal-bed natural gas] production will be put to a beneficial use. Where did this number come from?” (*Montana State-wide Oil and Gas SEIS, 2008*)

“The impact analysis overestimates negative impacts. For example, the impacts on mule deer use a 3.5 multiplier, which is not applicable to the planning area's habitats. Also, increasing the multiplier to 5.7 and 8.0 based on shortened or no winter range TL is not explained. No calculations are provided to justify the 33 percent and 50 percent reductions in deer under Alternatives IV and V. Also, the analysis fails to consider habituation—especially relevant because most of the roads used for oil and gas development already exist and receive vehicular traffic. Therefore, the mule deer analysis is deeply flawed and must be completely revised.” (*Roan Plateau Proposed RMP Amendment/Final EIS, 2006*)

“The DEIS acknowledges that OHV use is increasing in the BLM's Pecos District but has failed to adequately disclose the impacts of this land use on special status species.” (*Pecos District (NM) Special Status Species RMP Amendment and FEIS, 2008*)

“Based upon current science regarding fragmentation of big game habitats, we believe BLM should adopt density standards for development in all crucial ranges and migration routes. This information is

necessary in order to make an informed decision about the true impact of additional oil and gas development and/or other roads and rights-of-way on big game populations within the Resource Area.” (*Rawlins RMP*, 2008)

3) Present new information relevant to the analysis

“Studies have shown that the impacts of gas fields at the production stage are virtually as great as the impacts of drilling and construction (see Powell 2003, Sawyer et al. 2005, and Holloran 2005), and that development of the intensity envisioned for the Atlantic Rim project will essentially render developed areas void of sensitive wildlife for the duration of production related activities.” (*Atlantic Rim FEIS*, 2006)

4) Present reasonable alternatives other than those analyzed in the EIS

“Alternative B prescribes no new well pads within 200 meters of [sand dune] dune areas. This prescription is too restrictive. Data collected by Sias and Snell (1996) supports that impact to sand dune lizards are greatly reduced when new oil/gas well pads are placed at least 100 meters away from occupies dune complexes while allowing oil and gas development to occur. The additional 100 meter protection area is excessive.” (*New Mexico Special Status Species Amendment FEIS*, 2008)

“BLM should require that roads needed for energy exploration and development to be built only to a standard that results in fewest impacts on lesser prairie chicken habitat.” (*New Mexico Special Status Species Amendment FEIS*, 2008)

5) Cause changes or revisions in one or more of the alternatives

“We also suggest amending Alternative A to address increases in Off-Highway Vehicle and the potential for gravel mining in active stream channels. By incorporating more rigorous [Required Operating Procedures] for the planning area under Alternative A, damage from possible gravel mining could be minimized, and limited restrictions on OHVs will prevent damage to important fish habitat.” (*Bay RMP*, 2008)

SOURCES FOR EXAMPLES:

Atlantic Rim Final EIS, 2006

http://www.blm.gov/style/medialib/blm/wy/information/NEPA/rfodocs/atlantic_rim/feis/volume_5.Par.87840.File.dat/03_appo.pdf

Bay Resource Management Plan (AK), Proposed RMP/Final EIS, 2008

[http://www.blm.gov/style/medialib/blm/ak/afo/bay_rmp_eis_final.Par.55547.File.dat/Appendix I Response%20to%20Comments.pdf](http://www.blm.gov/style/medialib/blm/ak/afo/bay_rmp_eis_final.Par.55547.File.dat/Appendix_I_Response%20to%20Comments.pdf)

North Steens Ecosystem Restoration Project EIS, 2007

<http://www.blm.gov/or/districts/burns/plans/files/North%20Steens%20EIS.pdf>

Final Supplement to the Montana Statewide Oil and Gas Environmental Impact Statement and Proposed Amendment of the Powder River and Billings Resource Management Plans, Oct 2008

http://www.blm.gov/style/medialib/blm/mt/field_offices/miles_city/seis/fseis.Par.56624.File.dat/chap5.pdf

Carlsbad/Roswell (NM) Special Status Species RMP Amendment and Final EIS, 2008

http://www.blm.gov/nm/st/en/fo/Roswell_Field_Office/special_status_species.html